

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

1550-60 Fairview Corp.,

Plaintiff,

Case No. 05-73312

vs.

Genesis Properties, LLC, et al. HON. GEORGE CARAM STEEH

Defendants.

/

ORDER REJECTING REQUESTS FOR WRIT OF GARNISHMENT

GP Collections, which is not a party to this action, submits eight requests for a writ of garnishment against Defendants' bank accounts.

Under Federal Rule of Civil Procedure 69, state law, in this case, Michigan Court Rule 3.101(D), governs a request for a writ of garnishment. See *Uhl v. Komatsu Forklift Co., Ltd.*, 466 F.Supp.2d 899, 911-12 (E.D. Mich. 2006); *Schram v. Carlucci*, 41 F.Supp. 36 (E.D. Mich. 1941). MCR 3.101(D) requires a plaintiff or her agent to submit with a request for a writ of garnishment a verified statement confirming a judgment against the defendant, an exact amount unpaid, and a reason to expect that the proposed garnishee is subject to garnishment.

At least three defects in GP Collections' request preclude the issuance of a writ of garnishment. First, the request includes no verified statement. Second, nothing in the request establishes that GP Collections proceeds as Plaintiff's agent. Third, in the request, GP Collections improperly lists itself as Plaintiff's attorney. Accordingly,

IT IS ORDERED that the eight requests for a writ of garnishment, attached to this order, but not otherwise docketed, are REJECTED WITHOUT PREJUDICE.

It is so ordered.

Dated: March 26, 2013

s/George Caram Steeh

GEORGE CARAM STEEH

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on March 26, 2013, by electronic and/or ordinary mail and also on Douglas A. Monds, 615 Griswold, Suite 320, Detroit, MI 48226. A copy of this Order and the eight requests were returned to Steven Benson, J.D., at GP Collections, 15001 Charlevoix Street, Grosse Pointe Park, MI 48230.

s/Barbara Radke

Deputy Clerk